

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**UNITED STATES OF AMERICA**

**v.**

**DAVID CALHOUN,  
Defendant.**

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**CRIMINAL ACTION NO. 05-363-6**

**CIVIL ACTION NO. 10-986**

**ORDER**

**AND NOW**, this 28th day of February 2013, upon consideration of Defendant's Motion to Vacate, Set Aside or Correct his Sentence pursuant to 28 U.S.C. § 2255 (Doc. No. 439), the Government's response thereto, and the supplemental briefs submitted by the parties, and after an evidentiary hearing on the Motion, and for the reasons stated in the Opinion filed this day and in the June 28, 2012 Opinion of the Court, it is hereby **ORDERED** that the Motion is **GRANTED** and Defendant's judgment of conviction and sentence dated August 11, 2006 is **VACATED**.

It is further **ORDERED** that Defendant's Motions for Reconsideration (Doc. Nos. 490, 525) and his "Motion for Production of Juror's Names and Addresses from Jury Clerk" (Doc. No. 520) are **DISMISSED without prejudice as moot** at this time.

The Clerk of Court is directed to **CLOSE** Civil Action No. 10-986.

It is so **ORDERED**.

**BY THE COURT:**

**/s/ Cynthia M. Rufe**

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**CYNTHIA M. RUFÉ, J.**